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4 **UNITED STATES DISTRICT COURT**  
5 **DISTRICT OF NEVADA**  
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7 WELLOSOPHY CORPORATION, )

8 Plaintiffs, )

9 vs. )

10 HERO NUTRITION, LLC and DAVID BARTON, )

11 Defendants. )  
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Case No. 2:10-CV-2229 GMN-GWF

**ORDER**

13 This matter is before the Court on the parties' failure to file a proposed Stipulated  
14 Discovery Plan and Scheduling Order. The Complaint (#1) in this matter was filed December 22,  
15 2010. Defendant David Barton filed a Motion to Dismiss (#9) on March 4, 2011. Pursuant to LR  
16 26-1, the parties were required to meet and/or confer as required by Fed. R. Civ. P. 26(f) within 30  
17 days after the first defendant answered or otherwise appeared, and 14 days thereafter to file a  
18 mandatory stipulated discovery plan and scheduling order. To date, the parties have not complied.  
19 Accordingly,

20 **IT IS HEREBY ORDERED** that the parties shall file a stipulated Discovery Plan and  
21 Scheduling Order not later than **May 23, 2011** in compliance with the provisions of LR 26-1 of the  
22 Rules of Practice of the United States District Court for the District of Nevada.

23 DATED this 11th day of May, 2011.  
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26 GEORGE FOLEY, JR.  
27 United States Magistrate Judge  
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